



145092

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

5HSM-5J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

The Honorable Michael King  
Mayor of the Village of Cahokia  
Village Hall  
103 Main Street  
Cahokia, IL 62206

Re: Request for Information Pursuant to Section 104(e) of CERCLA  
for the Sauget Area 1 in Sauget, Illinois.

Dear Mayor King:

This Agency is conducting an investigation of the release or threatened release of hazardous substances at the Sauget Area 1 Site in Sauget and Cahokia, Illinois (see attached map) during the time period of 1930 to the present time. The Agency is also investigating how the substances at the Site came to be located there.

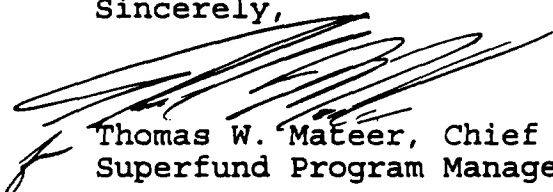
Under federal law (Section 104(e) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)), you must respond to the enclosed information requests. If you do not respond fully and truthfully to each of the questions within thirty (30) days of your receipt this letter, enforcement action will be brought against you by seeking penalties from a federal court of extensive fines and/or imprisonment.

Your response to this Information Request should be mailed to Marsha A. Adams, 5HSM-5J, Responsible Party Search Section, at the above address. You may call her at (312) 353-9484.

Please direct any legal questions you have to Thomas J. Martin at (312) 886-4273. If you have any other questions, contact Jeffrey B. Gore at (312) 886-6552.

Thank you for your cooperation in this matter.

Sincerely,

  
Thomas W. Mateer, Chief  
Superfund Program Management Branch



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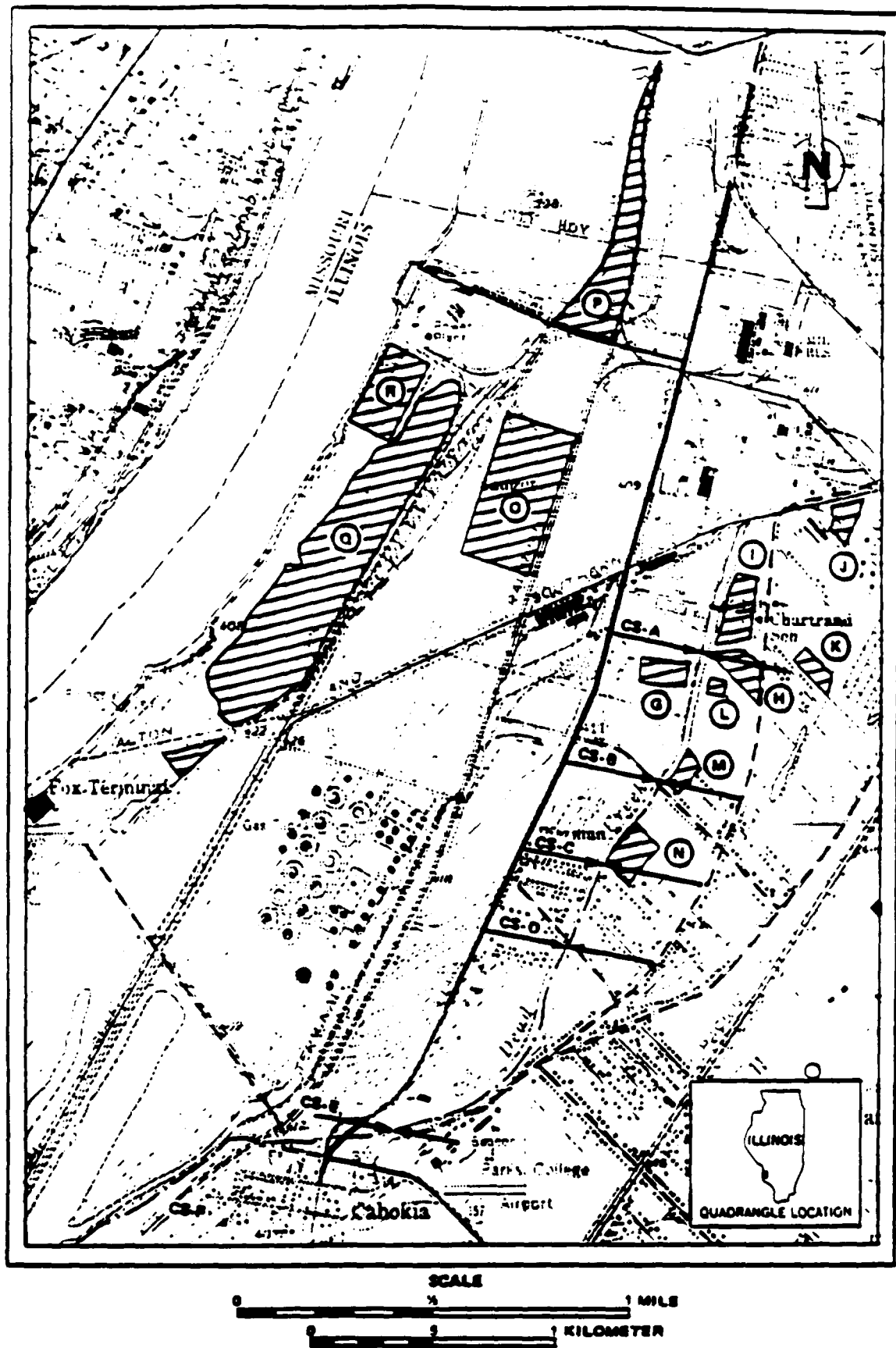


FIGURE 2  
SITE REPORTING DESIGNATIONS FOR THE DEAD CREEK PROJECT

bcc: Jeff Gore	HSRL-6J
Sam Borries	HSRL-5J
Paul Takacs	Project Manager, IEPA
Peggy Schwebke	HSES-5J
Thomas Martin	CM-3T
Deena Sheppard	HSM-5J
Carolyn Bohlen	HSM-5J

This letter went to the following addressees

Mr. Paul Sauget  
2901 Upper Cahokia Road  
East Saint Louis, IL 62206

The Honorable Paul Sauget  
Mayor of the Village of Sauget  
Village Hall  
2897 Falling Springs  
Sauget, IL 62206

The Honorable Michael King  
Mayor of the Village of Cahokia  
Village Hall  
103 Main Street  
Cahokia, IL 62206

## INSTRUCTIONS

### **NOTE**

PURSUANT TO THE AUTHORITY OF SECTION 104(E) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (CERCLA), 42 U.S.C. 9604(E), AS AMENDED BY THE SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986, PUB. L. 99-499, YOU ARE HEREBY REQUESTED TO RESPOND TO THE INFORMATION REQUESTS ENCLOSED. COMPLIANCE WITH THE ENCLOSED INFORMATION REQUESTS IS MANDATORY. FAILURE TO RESPOND FULLY AND TRUTHFULLY TO EACH AND EVERY INFORMATION REQUEST WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS LETTER, OR TO ADEQUATELY JUSTIFY SUCH FAILURE TO RESPOND, CAN RESULT IN ENFORCEMENT ACTION BY U.S. EPA PURSUANT TO SECTION 104(E) (5) OF CERCLA WHICH, AS AMENDED, AUTHORIZES THE UNITED STATES TO SEEK PENALTIES FROM A FEDERAL COURT OF UP TO \$25,000 FOR EACH DAY OF CONTINUED NON-COMPLIANCE. PLEASE BE FURTHER ADVISED THAT PROVISION OF FALSE, FICTITIOUS, OR FRAUDULENT STATEMENTS OR REPRESENTATIONS MAY SUBJECT YOU TO CRIMINAL PENALTIES OF UP TO TEN THOUSAND DOLLARS (\$10,000) OR UP TO FIVE (5) YEARS OF IMPRISONMENT OR BOTH UNDER 18 U.S.C. 1001.

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number of the Information Request to which it corresponds.
3. In answering each Information Request, identify all contributing sources of information.
4. If information is not known or is not available to the Respondent as of the date of submission of his/her response, should information later become known by or available to the Respondent, Respondent must supplement his/her response to U.S. EPA. Moreover, should the Respondent find, at any time after the submission of his/her response that any portion of the submitted information is false or misrepresents the truth, Respondent must notify U.S. EPA thereof as soon as possible.
5. For each document produced in response to this Request for Information, indicate on the document,

or in some other reasonable manner, the number of the question to which it responds.

6. You must respond to the Information Requests on the basis of all information and documents in your possession, custody or control or in the possession, custody or control of your former or current employees, agents, servants, contractors or attorneys. Furnish such information as is available to you, regardless of whether or not it is based on personal knowledge, and regardless of source.
7. Your response should be accompanied by a notarized affidavit from a responsible company official or representative stating that a diligent record search has been completed and that there has been a diligent interviewing process with present and former employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or other handling practices of the Respondent between, unless otherwise noted, 1930 and the present. To the extent that any information you provide relating to these Requests is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives, this information shall be in the form of a notarized affidavit.
8. If any document responsive to a request was, but no longer, in the possession, custody, or control of Respondent, provide the following information:
  - a. state the disposition of the document;
  - b. state the date such disposition was made;
  - c. identify the present custodian of the document, state his address or, if the document no longer exists, so state;

- d. identify the person who made the decision regarding the disposition of the document;
  - e. state the reason for the disposition; and
  - f. describe the document and the contents of the document, including the title, date, author, addressees, locations and number of copies made and the location of the copies.
  - g. state whether the document was disposed of pursuant to and in compliance with a company document management policy.
9. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. [See 41 Federal Register 36901 et seq. (September 1, 1976); 43 Federal Register 4000 et. seq. (September 8, 1978); 50 Federal Register 51654 et.seq. (December 18, 1985).] If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to you. You should read carefully the above-cited regulations, together with the standards set forth in Section 104(e)(7) of CERCLA, before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim, as stated in Section 104(e)(7)(ii) of CERCLA. In order to facilitate handling any confidential business or financial information, please provide such information on separate pages and group all such pages together in one portion of the response. Clearly identify the information as confidential by placing the word "confidential"

in the upper right hand corner of the first page containing the information and on the cover letter transmitting it.

10. U.S. EPA has the authority to use the information requested herein in an administrative civil or criminal action.

### DEFINITIONS

For the purpose of the Instructions and Requests for Information set forth herein, the following definitions shall apply:

1. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, predecessors, partners, successors, assigns, subsidiaries and agents.
2. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. "The Site" shall mean and include the property designated on the attached map as "Area 1" located in Sauget and Cahokia, Illinois.
4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, including any mixtures of such hazardous substances with any other substances, including petroleum products.
5. The term, "pollutant" or "contaminant", shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.

6. The term "hazardous waste" shall have the same definition as that contained in Section 1004(5) of RCRA.
7. The term "solid waste" shall have the same definition as that contained in Section 1004(27) of RCRA.
8. The term "hazardous material" shall mean all hazardous substances, pollutants or contaminants, and hazardous wastes, as defined above, including PCBs, and shall include all by-product and off-specification wastes used or generated by the Respondent.
9. The term "non-hazardous material" shall mean all pollutants and contaminants, as defined above, excluding hazardous material.
10. The terms, "furnish", "describe", or "identify" or "indicate", shall mean turning over to U.S. EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control then indicate where such information or documents may be obtained.
11. The term "identify" means, with respect to a natural person, to set forth the person's full name, present or last known business address and telephone number, present or last known home address and telephone number, and present or last known job title, position or business.
12. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g. corporation,

partnership, etc.), organization, if any, and a brief description of its business.

13. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
14. "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
15. "Transaction" or "Transact" means every separate act, deal, instance, occurrence, sale, transfer, giving, delivery, change in ownership, or change in possession.
16. As used herein, "document" and "documents" shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra-office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming

instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, video tape or other type of memory); including (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.

17. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these information requests any information which might otherwise be construed to be outside their scope.
18. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.
19. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 CFR Part 300 or 40 CFR Part 260-280, in which case the statutory or regulatory definitions shall apply.

MR. PAUL SAUGET  
REQUESTS

1. Title information indicates that you and/or your father, Mr. Leo Sauget, were the property owners of record of Site G, Site H, and Site I in Sauget Area 1. (see Attached Map of Sauget Area 1). Is this correct? Provide information on the time periods you and/or Mr. Leo Sauget owned these sites.

2. As an employee of Industrial Salvage & Disposal, Inc., did you gain any knowledge regarding the nature and/or volume of chemical wastes that were disposed of at any or the above-referenced sites? Provide any and all information and documents concerning the volume and characteristics of chemical wastes disposed of by Industrial Salvage and Disposal (both before and after incorporation) at these sites, including the identities of the Companies which generated these wastes.

3. Did you, Sauget and Company, Leo Sauget or Industrial Salvage & Disposal, Inc. at any time haul chemical waste materials, obsolete process equipment or off-specification products generated at the Cerro Copper Products Company facility or the Monsanto Krummrich or Monsanto Queeny plants to Site G, Site H or Site I? If so, describe the nature, frequency and time periods in which these activities occurred, as well as on whose behalf they were undertaken.

4. Did you, Sauget and Company, Leo Sauget or Industrial Salvage & Disposal, Inc. accept solid waste materials (such as fly ash and cinders) from any industry in what was known as the Village of Monsanto and currently known as the Village of Sauget (hereinafter, "Village") for the purposes of disposal or cover at Site G, Site H, and/or Site I? Were any of these actions sanctioned, licensed, or permitted by the Village for the purpose of making property improvements?

5. Please state the dates which Industrial Salvage & Disposal, Inc., and Sauget and Company started and ceased operations, including the dates of incorporation. Provide a chronology describing the positions you held and the type of work you performed for these businesses, both before and after their incorporation.

6. Were any of your waste disposal activities or those of Sauget and Company or Leo Sauget or Industrial Salvage & Disposal, Inc., coordinated with employees of the Village? Were any of these activities carried out with the knowledge of the Village board members? Provide the names of such Village employees and/or Village board members.

7. Identify all companies and persons which you, Mr. Leo Sauget, and Sauget and Company, and/or Industrial Salvage and Disposal (pre and post incorporation) hauled waste into Sauget Area 1 sites. Provide all contracts, agreements, manifests, and/or bills of lading relating to these transportation and/or disposal activities.

VILLAGE OF CAHOKIA  
REQUESTS

1. Provide the names of Village of Cahokia ("Village") employees (including fire and police personnel), past or present, who might have knowledge concerning waste disposal into Sauget Area 1 (See attached map) between 1930 and 1982. If possible, provide information on how these individuals can be contacted.
2. Provide the names of Village council members or Village residents that may have knowledge of waste disposal activities at the Sauget Area 1 sites for the above time period. If possible, provide information on how these individuals can be contacted.
3. Provide any information or documents concerning the blockages of Dead Creek at Judith Lane in Cahokia and Queeny Avenue in Sauget. Were these actions performed by the Cahokia Health Department or the Cahokia Department of Public Works or were they performed by the St. Clair County Highway department or some other County or Village Department?
4. Provide any information or documents concerning any chemical discharges or chemical waste disposal activities occurring south of Judith Lane.
5. Provide any information or documents concerning waste disposal activities at the gravel pit (Site M) located at the end of Walnut Street.
6. Provide any information or documents regarding the H. H. Hall Construction Company operating a waste disposal pit (Site N) adjacent to Dead Creek.
7. Provide any information or documentation concerning fires on any of the sites contained in Sauget Area 1. If the Village of Caholia responds to such fires, how are they stopped and what measures are taken to prevent reoccurrence?

8. Provide all records and/or information concerning citizen complaints concerning discharges of solid or liquid wastes into any site contained in Sauget Area 1.

9. Provide all information/documents in your possession concerning:

a. Possible potentially responsible parties for Sauget Area 1 landfill sites.

b. Trucking firms involved in dumping wastes into Sauget Area 1 sites;

c. All test and sampling analytical reports concerning the soil, air, or water, or groundwater in and around Sauget Area 1.

VILLAGE OF SAUGET  
REQUESTS

1. Provide a detailed listing of all companies, both industrial and commercial, whose business addresses were within the boundaries of what is presently known as the Village of Sauget for the time period between 1900 and 1982. Also include approximate dates within which these businesses operated.
2. Concerning the above, please provide a description of the nature of business that these companies performed during the above time period.
3. Provide a detailed listing of all services that both the Village of Monsanto and the Village of Sauget (hereinafter, "Village") provided to the companies referenced in response to Request #2 during the above-referenced time period.
4. Did the Village keep records of or in any way monitor the quantities of chemical waste (organic and inorganic) materials that were generated within the Village during the above-referenced time period? Was the Village in any way informed of or familiar with the types of chemical wastes that were generated in the Village? If so, what specific types of organic or inorganic wastes were generated during the above time period?
5. Were any chemical waste materials disposed of on any property owned by the Village? Were these disposal activities performed with the Village's consent or under agreement with the Village? If so, provide copies of all contracts or agreements to this effect.
6. Have any employees of the Village at any time permitted, regulated, or coordinated chemical waste disposal activities of companies located in the Village? If so, please describe the nature of these activities, the employees involved, and provide documents relating thereto.

7. Were the chemical waste disposal services of Leo Sauget, or his company, later named "Industrial Salvage & Disposal, Inc.," (with particular regard to disposal of wastes into Sites G, H, and/or I), performed as actions that were sanctioned, licensed or permitted by the Village? Were the waste disposal services of Paul Sauget or Sauget & Company, (with particular regard to disposal of wastes into Sites G, H, and/or I), sanctioned, licensed or permitted by the Village?

8. How were process wastewater and sanitary discharges of industries located within Village boundaries regulated prior to the construction of the Village's sewer system?

9. Was it a practice of industries in the Village to discharge liquid chemical wastes into Dead Creek prior to the construction of the Village's sewer system? If so, provide all information and documents concerning this practice.

10. Did the Village regulate these discharges and if so, how? Have any sanitary or process wastewaters been discharged to Dead Creek after the construction of the Village's sewer system? If so, provide all information and documents concerning these discharges.

11. In lawsuit captioned Cerro Copper Products v. Monsanto Chemical Company, Docket No. 92-CV-204-WDS, Cerro alleges that periodic discharges from the Village sewer system into Dead Creek occurred at the northern portion of Dead Creek Segment A. Cerro also alleges that Dead Creek Segment A was used as a retention basin for the sewer system under certain conditions. Does the Village disagree with these contentions? If not, under what conditions did these discharges occur?

12. Did the Village alter the flow of Dead Creek Segment A in any way so that wastewaters generated by Village industries would gravity flow back into the Village sewer system? If so, describe these measures.

13. Did the Village take measures to keep Dead Creek Segment A retention basin clear of silt? If so, describe these measures.

14. Does the Village have knowledge as to whether Segment A of Dead Creek was ever dredged? If so, what was the location of this dredging activity and how was the dredged material disposed of? Was the Village involved in these actions?

15. Provide any information/documents regarding the waste disposal activities of Harold Waggoner or Waggoner & Company, in Sauget Area 1.

16. Provide all information/documents in your possession concerning:

a. Possible potentially responsible parties for Sauget Area 1 landfill sites.

b. Trucking firms involved in dumping wastes into Sauget Area 1 sites;

c. All test and sampling analytical reports concerning the soil, air, or water, or groundwater in and around Sauget Area 1.

17. Were any Village permits granted for the initial excavation of the gravel pits that now comprise Site G, Site H, and Site I? Provide any information as to when these excavations were completed. Has the Village been involved in the practice of covering these sites for the purposes of making property improvements? If so, describe this practice.

18. Provide the names of Village employees, including firemen and policemen, who would be familiar with the dumping of wastes into Sauget Area 1 and/or the disposal practices and activities of Harold Waggoner and Waggoner Trucking Company. Provide information on where and how these individuals can be contacted.

19. Provide any information/documents concerning the blockages of Dead Creek at Judity Lane in Cahokia and Queeny Avenue in Sauget.

20. Provide any information/documents about fires occurring in Sauget Area 1, particularly at Site G in Sauget Area 1. How often has this the area caught fire? What is the Sauget Fire Department's response procedure to this type of fire?

21. Describe the extent, cause, and severity of the fires which occurred on Site G in March/April and June and what measures were taken to:

- a. Stop the fire;
- b. Ensure that any water used to stop the fire did not become contaminated with wastes located on the site and subsequently run off into Dead Creek;
- c. Prevent the reoccurrence of fires on the Site.